



Chesterfield County, Virginia

Memorandum

DATE: SEPTEMBER 18, 2007

TO: CHESTERFIELD COUNTY PLANNING COMMISSION

FROM: KIRKLAND A. TURNER, DIRECTOR OF PLANNING

SUBJECT: ORDINANCE AMENDMENT CREATING A NEW TRADITIONAL
NEIGHBORHOOD DEVELOPMENT-MIXED USE ZONING
DISTRICT (TND-MU)

PROPOSED AMENDMENT:

On behalf of the Neotraditional Zoning District Committee, staff is presenting a Zoning Ordinance amendment creating the Traditional Neighborhood Development-Mixed Use (TND-MU) District. The proposed amendment incorporates neotraditional principles and design criteria.

RECOMMENDATION:

Discuss the proposed Zoning Ordinance amendment and set a public hearing at the Commission's discretion.

BACKGROUND:

The Planning Commission established the Neotraditional Zoning District Committee in early 2005. The Committee consists of six (6) members from the private sector plus Chairman Jack Wilson. The Committee, with staff assistance, was charged with developing a neotraditional-zoning district for Chesterfield County. The Committee is pleased to present the attached draft Traditional Neighborhood Development-Mixed Use District (TND-MU) ordinance for the Planning Commission's consideration.

The proposed ordinance amendment embraces the principles of neotraditional or new urbanism development. Over the past 50 years, some form of Euclidean zoning has been widely used throughout the country as the major land use tool. Generally, the main characteristic of Euclidean zoning is the separation of uses and their dispersion through minimum lot-size requirements. Experts in the urban planning profession contend that this form of development significantly contributes to sprawl. Neotraditional development reverses the trend towards sprawl by promoting compact mixed-use neighborhoods that include residential blocks with a variety of densities and housing types within a

neighborhood distinguished by many activities within comfortable walking distances of most homes. The following are major characteristics of neotraditional development:

- Mix of uses throughout the development rather than hard-edged separate zoning districts and land uses.
- Most of the dwellings are within a five-minute walk (equitable to ¼ mile) of the center.
- A variety of dwelling types are available.
- The neighborhood has a discernible center. This is often a square or a green or a commercial area (focal point).
- Streets are a connected network, which disperses traffic by providing pedestrian and vehicular routes to any destination.
- Buildings are generally placed closer to the street.
- Parking lots and garage doors rarely front the street. Parking is relegated to the rear of the buildings, usually reached by alleys.

Proposed Amendment Highlights

The proposed ordinance amendment consists of seven major sections as outlined below.

Sect. 19-200.1 Purpose and Intent of District.

Describes the specific intent of this zoning district. The ordinance encompasses the characteristics and design principles of neotraditional development. The ordinance encourages infill development.

Sect. 19-200.2 Definitions.

Defines those terms and phrases peculiar to this type development and not contained elsewhere in the zoning ordinance.

Sect. 19-200.3 through 200.7 Uses Permitted By right; Accessory Uses; Uses with Certain Restrictions; Conditional Uses; and Special Exceptions.

These lists of permitted uses are meant to provide for the type and size uses to accommodate this type development.

Sect 19-200.8 through 200.11 Application Procedures and Approval Process; Rezoning Application Requirements; Development Plan Review Process; and Site Plan and Subdivision Plan Review.

These sections set out the criteria by which the rezoning process occurs and the process by which development plans can be submitted once zoning has been granted.

In addition to the usual rezoning application, a Master Zoning Plan and a Design Guidelines Manual are required. The Master Zoning Plan is a generalized graphic description of the project's proposed mix of land uses, densities, open space and other amenities. The Design Guidelines Manual will govern the site-specific design features associated with the project throughout its development.

Sect 19-200.12 General Design Standards and Guidelines.

This section establishes design standards and guidelines for TND-MU projects such as minimum area required; building heights; open space requirements; parking requirements, etc. Section 19-200.12b. Mix of Uses in Project Design is of critical importance because it sets the standard for a “true” traditional neighborhood development versus conventional development and it establishes densities and the requirements relative to the Community Center as an important focal point.

Article III. Districts

Division 26

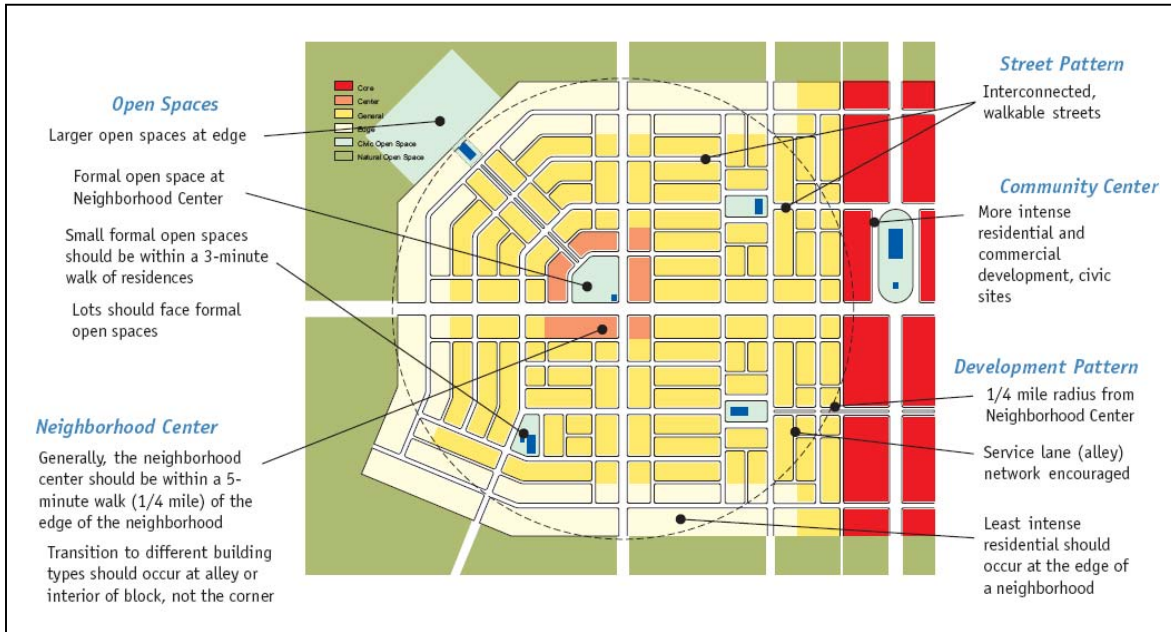
Traditional Neighborhood Development -Mixed Use District (TND-MU)

Section 19-200.1 Purposes and Intent of District

The purpose of the Traditional Neighborhood Development-Mixed Use District (TND-MU) is to allow development of mixed-use, pedestrian-oriented, activity centers containing a variety of uses, including, business, retail, residential, cultural, educational, and other public and private uses. The TND-MU district shall incorporate publicly accessible community open space areas and encourages high quality development and redevelopment that stimulates investment, generates jobs, increases available housing options, and expands the county's tax base. The TND-MU district also permits a compatible mix of uses in a single structure or a group of structures on a parcel or group of parcels and is intended to discourage piecemeal development. The TND-MU district will facilitate investment by increasing the number of permitted principal and accessory uses in a single district and will encourage high quality redevelopment by permitting greater regulatory flexibility and innovative and creative design.

This district is meant to allow the optional development and redevelopment of land consistent with the design principles of traditional neighborhoods also referred to as, neotraditional, and new urbanism. Generally, the following design principles are associated with TND-MU development.

- Compact development patterns that promote a more efficient use of land and lower the costs of providing public infrastructure and services;
- The development is designed for the human scale such that close attention is paid to walking distances, the height of buildings, and the design of streetlights, sidewalks, signs, and other features;
- Nonresidential land uses, such as commercial and business, civic and open space, are mixed with residential land uses. The TND-MU also provides a community center and focus to establish a strong neighborhood identity. Traditional neighborhood development also promotes a mix of housing types on varying lot sizes to accommodate households of varying ages, and incomes.
- In-fill residential and/or nonresidential development and redevelopment is encouraged.



- The development incorporates a system of relatively narrow, interconnected streets with sidewalks, bikeways, and transit that offer multiple routes for motorists, pedestrians, and bicyclists and provides for the connection of those streets to existing and future developments.

Section 19-200.2 Definitions

For the purposes of this chapter, the following words and phrases shall have the following meanings.

Common open space: Any area within the TND-MU project area that may be used by residents and the general public that is maintained for any of the following purposes: as natural vegetation or as landscaped areas; visually aesthetic and accessible ponds and BMP's; active or passive recreational uses including but not limited to sidewalks, walking and biking paths, playgrounds, swimming pools, and tennis courts; any outside public gathering areas set aside for temporary activities and events such as, but not limited to, art shows, annual celebrations, and special outings that support the recreational nature of open space; and related parking lots and buildings accessory to any of these uses.

Infill TND-MU project: An infill TND-MU project consists primarily of the community center area without significant residential development other than over shop housing with commercial and office buildings. Some development of single family dwellings, townhouses, or multi-family may be included only if area exists beyond that necessary to accomplish all of the requirements for the community center.

Over shop housing: Multi-family units in upper stories of commercial and office development.

Personal service establishments: Non-industrial establishments which provide various service functions to residents and businesses, including; banks; barber shops; beauty shops; brokerages; child care centers; clinics (massage, medical or optical); credit unions; day care (family day care homes, day care centers, adult or child); dress making shops, dry cleaning (pick-up, drop-off, coin-operated); laundries and Laundromats (not including dry cleaning plants); lock smith operations; mailing services; printing shops, photography studios; rental establishments (small home hardware, tools and equipment, health and party equipment); repair services; sewing machine sales, service and instruction; savings and loans institutions; shoe repair; tailoring; telegraph services; travel agencies; tutoring centers; and other uses of similar intensity and nature as determined by the Director of Planning.

Recreational establishments, commercial indoor: Non-industrial establishments which provide commercial indoor recreational services, including: billiard parlors; dance studios; exercise studios; fitness centers; health clubs; martial arts studios; pool halls; and other uses of similar intensity and nature as determined by the Director of Planning.

Retail, general: Non-industrial establishments characterized by the offering for sale of goods and related services to the general public, including: antiques (not including pawnbrokers, flea markets, or second-hand stores); appliances; artist materials and supplies; bicycles; bakery goods; beer and wine; books; cameras, candy, clothing; consignment stores (excluding motor vehicles); curios; department stores; electronics (homes); eye wear; drug stores; flowers, food (prepared); fruit; furniture; gasoline; groceries; gifts; hardware; hobby supplies; home entertainment items; jewelry; magazines; meat; motor vehicle accessories; musical products and instruments; newspapers; office supplies; packaging; paint; pets; pharmacies; seafood; shopping centers; sporting goods; stationary; telephones; toys; videos (rental and sales); wallpaper; vegetables; and other uses of similar intensity and nature as determined by the Director of Planning.

School, specialty: Educational facilities offering specialized instruction for art, business; commerce; dance; music; trades; training purposes; or vocational education; and other uses of similar intensity and nature as determined by the Director of Planning. This definition includes kindergarten and nursery schools.

Sphere of influence: As it relates to *infill development*, the sphere of influence of a TND-MU project is defined as the residential areas outside of and adjacent to the boundaries of the TND-MU project that establish their community identity with the TND-MU project.

Existing neighborhoods that adjoin the TND-MU district may identify with the new TND-MU project when streets, bicycle paths, and pedestrian paths and sidewalks from the proposed TND-MU extend into the existing neighborhoods, thereby providing residents the use of all commercial and open space facilities of the proposed TND-MU project. In such instances, the proposed infill TND-MU project can serve as a catalyst for creating community identity where none existed due to the separation of existing neighborhoods by natural boundaries (creeks and ravines) or man-made boundaries (arterial roads, etc.). The appropriateness of an infill TND-MU project should be based on its ability to exert a significant sphere of influence on the adjoining neighborhoods.

Section 19-200.3 Uses Permitted By-Right

The following uses are permitted subject to Board of Supervisor approval of the requested creation of the TND-MU District.

- (a) Access to any land located in an A, O, C, or I district or used for A, O, C, or I purposes
- (b) Accessory uses, buildings, and structures
- (c) Automobile self-service stations
- (d) Bed and breakfast establishments
- (e) Boarding houses
- (f) Catering establishments
- (g) Churches and other places of worship
- (h) Clubs and lodges: civic, fraternal, non-profit, private, public, or social
- (i) Cocktail lounges and nightclubs
- (j) Colleges, public or private
- (k) Communication antennas integrated into the design of a permitted building
- (l) Communication offices, studios, and stations; not including towers
- (m) Conference centers
- (n) Convenience store
- (o) Dwellings: attached, detached, duplex, live/work, multiple-family, single-family, townhouse, two-family
- (p) Fire stations and emergency rescue squads, buildings and grounds
- (q) Fraternities (in conjunction with school or college)
- (r) Funeral homes
- (s) Galleries, art
- (t) Government buildings
- (u) Group homes
- (v) Hospitals and other medical facilities
- (w) Hotels
- (x) Laboratories: dental, medical, and optical
- (y) Libraries, public or private
- (z) Meal preparation and delivery services
- (aa) Messenger services
- (bb) Model homes

- (cc) Mortuaries
- (dd) Museums, public or private
- (ee) Offices: dental, general, medical, property management, temporary real estate
- (ff) Parking lots: commercial, non-commercial, park and ride
- (gg) Personal service establishments
- (hh) Post offices
- (ii) Public utility service buildings
- (jj) Recreational establishments, commercial-indoor
- (kk) Restaurants and cafes: carryout, fast food, or sit-down
- (ll) Retail, general
- (mm) Schools, public or private
- (nn) Schools, specialty
- (oo) Sororities (in conjunction with school or college)
- (pp) Telephone exchanges
- (qq) Theaters (except drive-in theaters)
- (rr) The Director of Planning, as per Section 19-19.1(a), may approve those uses that are not specifically enumerated in this chapter and that are of the same general character as the specifically enumerated uses allowed in this district. The Director of Planning shall consider, among other things, the following: the size and proposed configuration of the site; the size, height and exterior architectural appearance of any proposed structure(s); noise; light; glare; odors; dust; outdoor activities; traffic; parking; signage; and hours of operation. Based on these considerations, he shall determine that the proposed use's operating characteristics are substantially similar to, and its impact on neighboring properties no greater than, the operating characteristics and impacts of the specifically enumerated uses allowed in the district.
- (ss) Utility uses located underground or not requiring a structure

Section 19-200.4 Uses Permitted With Certain Restrictions

The following uses shall be permitted in the TND-MU District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to Section 19-13.

- (a) Check cashing, incidental, subject to the limitations of Section 19-145(h)
- (b) Christmas tree sales, temporary, subject to the limitations of Section 19-152(h)
- (c) Construction buildings/trailers, temporary, subject to the limitations of Section 19-131(e)
- (d) Group care facilities, provided that facilities in excess of 10,000 square feet of floor area, shall be limited to the Community Center. Group care facilities in the Community Center shall have at least fifty (50) percent of the ground-floor frontage that faces adjoining streets to include tenant

- spaces for commercial uses with primary entrances facing the adjoining street.
- (e) Home occupations, subject to the limitations of Section 19-65(e)
 - (f) Intercoms accessory to permitted uses, not audible to any residential use
 - (g) Motor vehicle rental and repair, subject to the limitations of Section 19-159(f)
 - (h) Outside display/storage, subject to the limitations of Section 19-159(i)
 - (i) Parks, public or private, not exceeding five acres of active recreational uses
 - (j) Pet grooming shops, subject to the limitations of Section 19-145(d)
 - (k) Plant nurseries not exceeding 10,000 square feet of total floor area
 - (l) Public address systems (outside), not audible to any residential use
 - (m) Recreational establishments/facilities, outdoor (public, private, or commercial), not exceeding five acre
 - (n) Satellite dishes, subject to the limitations of Section 19-131(h)
 - (o) Utility uses requiring a structure, public or private, subject to the limitations of Section 19-131(g)
 - (p) Veterinary clinics or offices, subject to the limitations of Section 19-131(f)
 - (q) Warehouses, subject to the limitations of Section 19-138(i)

Section 19-200.5 Accessory Uses, Buildings and Structures

The following accessory uses, buildings and structures shall be permitted in the TND-MU District.

- (a) Boathouses, private
- (b) Docks, private
- (c) Equipment storage buildings
- (d) Garages, private
- (e) Gardens and garden buildings, private
- (f) Grounds keeping buildings
- (g) Hothouses, residential
- (h) In-law dwelling units
- (i) Maintenance buildings
- (j) Microbreweries
- (k) Piers, private
- (l) Plant propagation and cultivation (not for sale): crop, flower, tree, and shrub
- (m) Signs
- (n) Storage buildings, private
- (o) Structures devoted to maintenance, grounds keeping and equipment storage
- (p) Swimming pools and adjoining deck areas
- (q) Tennis courts
- (r) Tool buildings, private
- (s) Yard sales

Section 19-200.6 Conditional Uses

The following uses may be allowed in the TND-MU by conditional use subject to the provisions of Section 19-13.

- (a) Communication towers
- (b) Halfway houses
- (c) Liquor stores
- (d) Mini-storage/mini-warehouse facilities

Section 19-200.7 Special Exceptions

The following uses may be allowed by special exception, subject to the provisions of Section 19-21.

- (a) Kennel, private
- (b) Yard sales in excess of two (2) days

Section 19 – 200.8 Application Procedures and Approval Process

The TND-MU district becomes part of the zoning map upon approval of an application to rezone property according to specified criteria contained in this article. The process to create a TND-MU consists of two parts; rezoning the property to TND-MU according to Article II of the Zoning Ordinance, and, as part of the rezoning process, approval of a Master Zoning Plan and a Design Guidelines Manual. The Master Zoning Plan consists of a generalized graphic description of the project's proposed mix of land uses, densities, open space and other amenities. The Design Guidelines Manual will govern the site-specific design features associated with the project throughout its development.

Accordingly, the standards for development contained in this article shall be particular to the TND-MU district and not based on standards established for conventional zoning districts or the general standards for commercial or residential districts in other sections of the County Zoning Ordinance. The standards for development that are submitted by an applicant and approved by the Board of Supervisors for a particular TND-MU shall be the standards by which the project will be developed.

Section 19 – 200.9 Rezoning Application Requirements; Required Documents and Information

The following documents and information shall be submitted to the Planning Department and any other information required by the Director of Planning necessary to evaluate a rezoning application and its associated plans for development.

- (a) A Preapplication conference with the applicant and director of planning or his designee is encouraged prior to formal application for rezoning.
- (b) Required documents. The applicant shall submit the following documents to the Director of Planning for submission to the Planning Commission and Board of Supervisors. The Director of Planning shall determine the number of copies of the master zoning plan and design guidelines manual to be submitted.
 - 1. Rezoning application and fee.
 - 2. Master Zoning Plan
 - 3. Design Guidelines Manual
- (c) Master Zoning Plan. The master zoning plan consists of a general graphic depiction of the proposed project and supporting documentation text prepared by a licensed surveyor, engineer, architect, landscape architect, certified planner, or owner's agent. It shall contain:
 - 1. An insert map at a scale of not less than one inch to one mile, showing the property in relation to surrounding roads, subdivisions, and/or major landmarks.
 - 2. A north arrow.
 - 3. The location of existing property lines, watercourses or lakes, wooded areas, and existing roads within or adjoining the property.
 - 4. The maximum residential densities and the maximum number of residential units for individual residential land use categories and mixed-use categories, delineating at least two housing types.
 - 5. The amount of land devoted to open space and amenities, including conservation areas or preservation areas, etc.
 - 6. Proposed neighborhood and major road network.
- (d) Design Guidelines Manual. The design guidelines manual shall address the following components of the built environment within a proposed TND-MU:
 - 1. The form, massing, and proportions of structures;
 - 2. Vertical separation between streets and single-family residential uses;
 - 3. Architectural styles;
 - 4. Front porches for single-family residential uses;
 - 5. Materials, colors, and textures;
 - 6. Roof form and pitch;
 - 7. Architectural elements and ornamentation;
 - 8. Façade treatments, including window and door openings;
 - 9. Landscape treatments;
 - 10. Sidewalks and pathway treatments and other pedestrian amenities;
 - 11. Preservation of historic structures, sites, and archeological sites identified by the Virginia Department of Historic Resources;

12. Signage.
- (e) Regulation Exceptions. In conjunction with an application for a TND-MU district, the applicant may request exceptions to the applicable bulk requirements and/or development regulations of this chapter; provided that the Planning Commission and Board of Supervisors shall consider:
 1. That such exception shall be solely for the purpose of promoting an integrated plan no less beneficial to the residents or occupants of the development, as well as neighboring property, than would be obtained under this chapter's bulk and/or development regulations.
 2. That the purpose and intent of the TND-MU district regulations are still met with the granting of the exception.

Section 19 – 200.10 Development Plan Review Process

Overall Development plan

Upon approval of the rezoning application, the development plan review process for TND-MU shall include an Overall Development Plan that describes the layout, uses, and other pertinent information about the entire development. Once an Overall Development Plan is approved, site plans and/or subdivision plans may be submitted that document the actual construction of the development.

- (a) An Overall Development Plan shall be submitted for any TND-MU development unless approved at the time of zoning approval. The Overall Development Plan may be approved administratively or by the planning commission.
- (b) Overall Development Plans shall include information deemed necessary by the director of planning to insure compliance with zoning conditions and the zoning ordinance's purposes, including but not limited to:
 1. The horizontal layout of the project based upon a metes and bounds survey with two points tied to the Virginia State Coordinate System,
 2. The designation of public and private roads including alleys,
 3. A list of residential and non-residential products within each block of the TND-MU,
 4. A layout of single-family lots in each block,
 5. Build to lines establishing required distances between road rights of ways and principal buildings,
 6. Density by block and overall density,
 7. Sidewalk and pedestrian path locations,
 8. Areas of open space and other types of amenities,
 9. Conceptual layout of sewer and water service,
 10. Conceptual landscaping plans for streets and buffers,
 11. A traffic impact analysis if deemed necessary by the director of transportation

12. Community identification signs showing locations and general appearance
- (c) For the purposes of subsequent site plan and subdivision review, the overall development plan shall identify the blocks and/or areas, including adjoining roads and pedestrian paths, that shall be reviewed using the site plan review process or the subdivision review process. Determination of which review process shall be used for each block and/or area shall be made by the planning department based upon input from participating review departments.
 - (d) Overall Development Plans shall be reviewed to ensure compliance with TND-MU requirements, zoning conditions, and the goals and policies of the comprehensive plan; to ensure land use compatibility and transition, and to mitigate any adverse impact on public health, safety and welfare. The planning commission may impose conditions to accomplish these purposes. Any person aggrieved by an administrative decision on a conceptual plan may appeal such a decision in conformity with section 19-268(d). Any person aggrieved by the planning commission's decision on an Overall Development Plan may appeal such a decision in conformity with section 19-269(e).
 - (e) The director of planning shall post a notice of the Overall Development Plan submission to adjacent property owners by registered, certified, or first class mail as soon after plan submission as practicable, but in no event less than 21 days prior to approval or disapproval of the Overall Development Plan. If such written notice is sent by first class mail, the director of planning shall make affidavit that such notice has been sent and shall file the affidavit with the application.
 - (f) The director of planning shall post a notice of a Overall Development Plan hearing by the planning commission in accordance with section 19-26(b).

Section 19 – 200.11 Site Plan and Subdivision Plans

Based upon approval of the Overall Development Plan for the TND-MU, the applicant may file for site plan review/approval or subdivision plan review/approval.

Section 19-200.12 General Design Standards and Guidelines

The following design standards and guidelines shall be applicable for all development within the TND-MU district.

a. Minimum Area

A TND-MU project must contain a minimum of sixty (60) acres. However, for infill and redevelopment projects, a minimum of twenty (20) acres are allowed if a sufficient sphere-of-influence is established into the existing neighborhoods equaling sixty (60) acres at time of rezoning.

b. Mix of Uses in Project Design

To achieve the compact design necessary to make the TND-MU fully pedestrian oriented, residential and non-residential land uses must be sufficiently mixed horizontally across the project and vertically within buildings.

Between 20 and 40 percent of the TND-MU project acreage shall be used for ground floor non-residential development, including live/work housing units, and at least 40 percent of the total square footage of ground floor non-residential development shall have over shop housing. Infill and redevelopment TND-MU projects shall have a minimum of 75 percent of the TND-MU project acreage or fifteen (15) acres, whichever is less, used for ground floor non-residential development, and at least 40 percent of the total square footage of ground floor non-residential development shall have over shop housing. The percentage of project acreage for non-residential buildings shall include the buildings and all parking, sidewalks, streets, and open space directly associated with these buildings.

The non-residential development serving the TND-MU shall progress with the residential development. No more than 50 percent of single family residential and townhouse building permits shall be released until 75 percent of all public and private roads serving non-residential development are constructed.

To further provide the pedestrian environment that affords the opportunity for residents to live, work and play within the TND-MU project, the following general categories of uses shall all be included within the TND-MU. Larger TND-MU projects should incorporate as many subcategories of residential uses as possible, but under no circumstances shall less than three subcategories of residential uses be included, except for infill TND-MU projects that must include at least over shop housing. The project should be organized so that higher density residential blocks are located within one-quarter (¼) mile of the community center. Lower density residential blocks may be located beyond one-quarter mile from the community center.

- 1. Residential Uses.** The following residential types are allowed within the TND-MU up to the maximum density levels established below:

- i. *Single-family detached dwellings* Up to eight (8) dwelling units per acre. A maximum of sixty (60) percent of the residential development area shall be used for single-family detached dwellings.
- ii. *Single-family attached dwellings*, including, but not limited to, townhouses, duplexes, cluster housing, and row houses – Up to sixteen (16) dwelling units per acre. A maximum of twenty-five (25) percent of the residential development area may be used for single-family attached dwellings.
- iii. *Live/work dwellings* – Up to sixteen (16) dwelling units per acre. No more than ten (10) percent of the residential development area shall be used for live/work dwellings and these units shall be located within the same block or across the street from non-residential development areas.
- iv. *Multi-family dwellings*, – Up to 25 dwelling units per acre. No more than twenty (20) percent of the residential development area shall be used for multi-family dwellings. This percentage may be increased for infill TND-MU projects, at time of zoning, based on the overall density within the sphere of influence. Multi-family dwellings incorporated into upper stories of non-residential buildings may exceed 25 dwelling units per acre as long as parking requirements for additional dwellings are met through multi-story parking facilities (parking garages).

2. **Community Center.** The community center and focal point of the TND-MU project shall consist of a mix of commercial, residential, civic or institutional, and open space uses as identified below.

- i. *Commercial uses in the community center.* No individual building shall exceed 10,000 square feet in ground floor area, unless specifically approved at time of zoning. For each story of upper floor multi-family housing, the 10,000 square feet ground floor area limit may be increased by right by fifty (50) percent above the base limit. Although not specifically required, the following categories of commercial uses are desired to achieve an active, pedestrian oriented commercial center:
- ii. *Residential uses in the community center.*
 - a. Multi-family dwellings, as over shop housing;
 - b. “Live/work “ units that combine a residence and the resident’s workplace;
 - c. “Special needs” housing, such as nursing homes and assisted living facilities.
- iii. *Civic or institutional uses in the community center*

As the focal point of the TND-MU, the community center shall provide key locations that highlight civic and institutional uses. Such uses include but are not limited to the following:

- a. Municipal offices, fire stations, libraries, museums, community meeting facilities, and post offices;
- b. Places of worship;
- c. Educational facilities;
- d. Transit shelter.

iv. *Open space uses in the community center*

Open space is a significant part of the design of a traditional neighborhood development. Formal and informal spaces are required. These serve as areas for community gatherings, landmarks, and as organizing elements for the neighborhood. Open space includes central squares, plazas, greens, preserves, neighborhood parks and playgrounds and greenbelts.

In addition to the open spaces within the community center, open spaces shall be incorporated elsewhere in the TND-MU in accordance with the following section.

c. **Common Open Space**

At least 20 percent of the gross acreage of the entire project shall consist of open space, conservation, outdoor recreation for the common use and enjoyment of residents, visitors and employees within the TND-MU and shall be clearly delineated in the project's master zoning plan. The percentage of common open space for infill TND-MU projects may be less than the percentages specified in this subsection, based on open space of the sphere of influence.

A minimum of 85 percent of the lots within the areas devoted to residential uses shall be within ¼ mile from an improved common open space as designated on the master zoning plan. These areas shall be distributed throughout the project and may include bodies of water, historic sites, works of art, outdoor recreation and public meeting areas, landscaping and buffer areas. Internal bikeways and pedestrian walkways shall connect open space areas.

Large outdoor recreation areas should be located at the periphery of neighborhoods rather than central locations.

1. Resource protection areas, wetlands, perennial stream protection areas, and storm water management and "best management practices" (BMP) areas are excluded from minimum common open space area requirements except for those areas used as a design feature or recreational amenity or greenway.

2. Common open space areas with existing trees shall be protected and maintained during the development process. During the development process, common areas shall not be used for storing, filling or dumping of any materials and shall not be denuded, defaced or otherwise disturbed without the prior approval of the appropriate county department and the Planning Director. If disturbed, such areas shall be restored by the developer or owner to the condition existing prior to the disturbance, including the removal of dead or damaged trees, stumps and remnants in accordance with a new landscape plan and forms of surety as specified in Section 19-518(f).

d. **Building Height.**

Within a TND-MU project, building height shall not exceed four (4) stories or fifty (50) feet, whichever is less, and except within the community center where building height shall not exceed eight (8) stories or one hundred (100) feet, whichever is less. However, within the same block, no structures shall exceed a height of twenty-five (25) feet taller than any other buildings within the same block except as provided in Section 19-507(f).

e. **Minimum Lot Requirements and Block Standards.**

There shall be no minimum lot area or yard (front, rear, side) requirements except as defined in the Overall Development Plan for the project. A build-to-line along the street front of each block, shall be established that defines the distance between the street right-of-way and the face of the principal building on each lot.

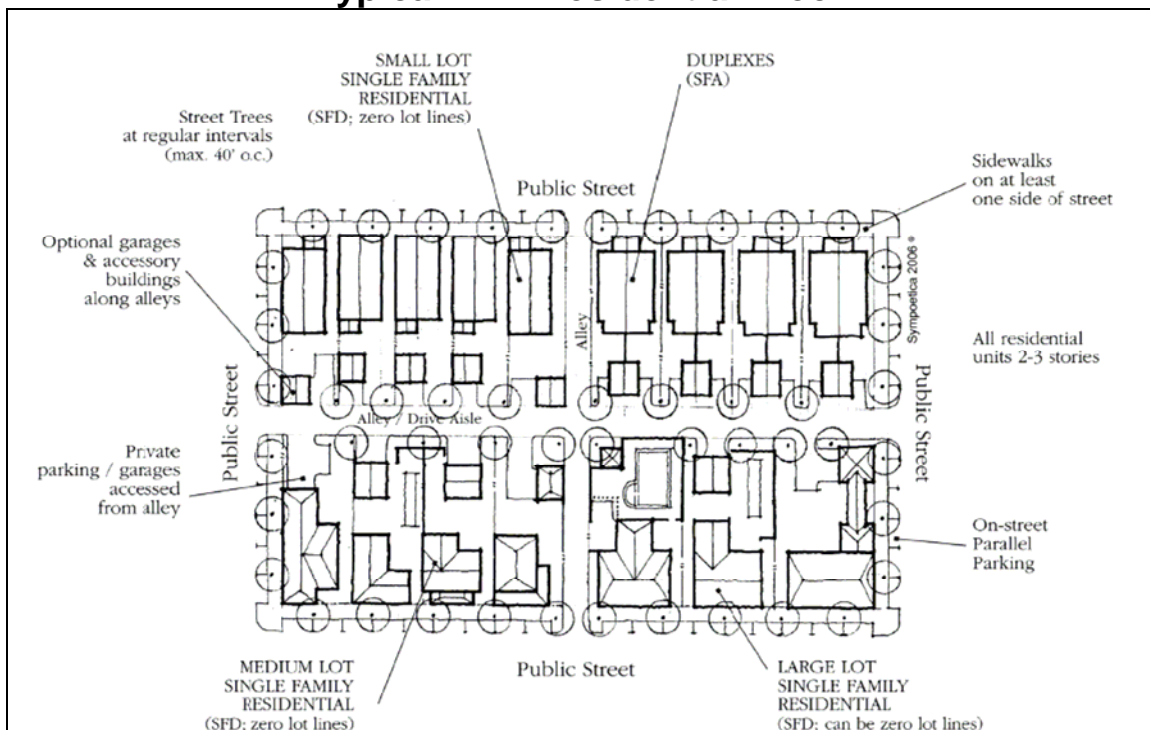
f. **Motor Vehicle Circulation.**

Motor vehicle circulation shall be designed to promote pedestrian and bicycle activity. Streets within the TND-MU should generally have no more than two motor vehicle travel lanes, and shall include traffic calming elements to encourage slow traffic speeds such as "queuing streets", curb extensions, traffic circles, parallel and angled on-street parking and medians as determined by the Directors of Planning and Transportation. All roads that accommodate general traffic circulation, as determined by the director of transportation, shall be constructed to state standards and accepted for maintenance by the Virginia Department of Transportation.

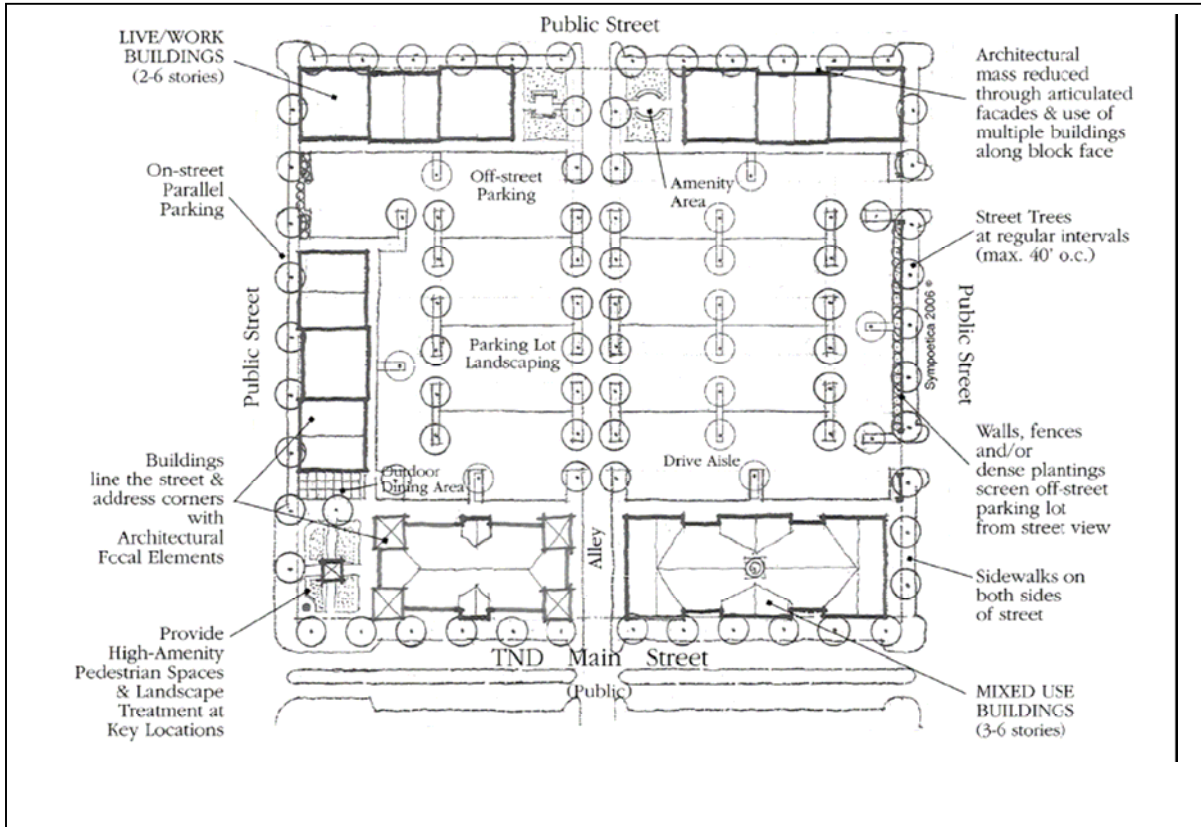
1. **Street System.** The streets within a TND-MU project should employ the following categories of streets as they apply to the projects' design. The following categories are meant to be illustrative in purpose.

- i. **Neighborhood Collector.** This street provides principal access through the project from arterial roads to the community center. Whenever the location of a collector street through a TND-MU project provides through-traffic from adjoining roads, traffic-calming elements shall be utilized to reduce traffic speeds for the protection of pedestrians and bicyclists within the project.
 - ii. **Neighborhood Sub collector.** This street provides primary access to individual properties and connects streets of lower and higher function.
 - iii. **Neighborhood Local Street.** This street provides primary access to properties. Traffic volumes are low.
 - iv. **Neighborhood Alley.** These streets provide rear access to properties where street frontages are narrow. Alleys may also provide delivery access or alternate parking access to properties.
2. **Street Layout.** Development in the TND-MU district should maintain a street grid pattern where feasible (each proposal's topographic and other physical site impacts will be considered regarding this standard).
- i. Curb cuts for driveways to individual residential lots shall be prohibited along all roads identified on the county's Thoroughfare Plan.

Typical TND Residential Block



Typical Community Center/Commercial Block



Parking

Minimum spaces. On-street parking is permitted, except along roads identified on the county's Thoroughfare Plan, and may be used in calculation of minimum required parking spaces. The minimum number of parking spaces required for uses in the TND-MU district shall be as follows

Category of Use	Parking Ratio
Single family residential	2 spaces/dwelling unit
Multi-family residential <ul style="list-style-type: none"> Over shop units Sole building use 	<u>1 space/ dwelling unit</u> 1 space/dwelling unit with one bedroom; 1.5 spaces/dwelling unit with 2 or more bedrooms
Assisted living residential	1 space/dwelling unit

Category of Use	<u>Parking Ratio</u>
Lodging facilities (hotels, motels)	1 space/bedroom
Nursing home	1 space/4 beds
Schools: <ul style="list-style-type: none"> • Child care centers • Elementary, Junior high • Private schools 	5 spaces plus 1/employee 1 space/20 children plus 1/employee 1 space/250 square feet gross floor area
Places of assembly: <ul style="list-style-type: none"> • Churches, funeral parlors • Clubs, lodges • Theatres 	1 space/4 seats 1 space/250 square feet gross floor area 1 space/3 seats
Recreational: <ul style="list-style-type: none"> • Golf courses • Miniature golf courses • Swimming pools • Indoor recreational • Parks <p style="padding-left: 40px;">Without sports facilities</p> <p style="padding-left: 40px;">With sports facilities</p>	60 spaces/9 holes 3 spaces/hole 1 space/90 square feet pool area 1 space/250 square feet gross floor area 10 spaces/first acre plus 5 spaces/ additional acre 75% of required parking listed/sports uses in Section 19-513
Office, businesses: <ul style="list-style-type: none"> • Office area • Associated warehouse area 	1 space/250 square feet gross floor area 1 space/750 square feet gross floor area
Restaurants	1 space/150 square feet gross floor area
Retail, personal service, banks, etc.	1 space/250 square feet gross floor area
Nursery, gardening centers	1 space/250 square feet gross floor area plus 1/700 square feet outdoor sales area
Rescue squad, ambulance service	3 spaces/ motor vehicle operated

1. For any category of use not listed above, the director of planning shall determine the parking ratio to be applied.
2. A reduction in the required number of parking spaces may be approved based upon shared use of parking by activities having different time demands for spaces and the provision of adequate pedestrian ways from the uses sharing the parking. The director of planning, at the overall development plan review, may grant a reduction of the parking requirements.
3. Required parking may be met by including on-street parking along the street frontage of the zoning lot and off-street parking on the zoning lot of use. Remote parking facilities located on another lot within 1000 feet of the zoning lot on which the building or use is

located shall be allowed as required parking contingent upon meeting the following requirements:

- i. Handicap parking facilities are located on the zoning lot based upon the total required parking.
 - ii. Continuous and adequate pedestrian facilities shall exist from the remote parking to the building or use it serves.
 - iii. The remote parking spaces shall not be located within a block that is primarily residential lots.
 - iv. The remote parking spaces are not required parking for any other use except as approved by the director of planning for shared parking spaces as stated in (c) above.
 - v. The user of the remote parking spaces shall obtain a lease for the duration of the user's need, record it with the circuit court clerk, and provide a copy to the planning department prior to site plan approval.
4. Parking within a garage or within an enclosed or covered space may be counted toward meeting parking requirements.
 5. Parking areas and spaces including surface treatment and stacking lane requirements shall be designed in accordance with Section 19-514.

g. Landscaping and Buffering

Except as specified below, landscaping within TND-MU districts shall be in accordance with Sections 19-516 through 19-519.

1. Unless otherwise approved by the director of planning and VDOT at subdivision or site plan review, all streets except alleys within the TND-MU shall be planted with large maturing street trees on an average of forty (40) feet on center within the street right-of-way, either within a sidewalk area or within a planting strip having a minimum width of six feet. When small maturing ornamental street trees are proposed, spacing shall average twenty-five (25) feet on center.
2. For all streets that include trees within the proposed street right-of-way, six (6) inch vertical curbing shall be used to establish a minimum clear zone.
3. For all trees planted in tree wells within a sidewalk area, a minimum of seventy-five (75) square feet by three (3) feet deep beneath the sidewalk shall contain an uncompacted soil mix favorable to healthy tree growth, irrigation and subddrain tied to the storm drain system.
4. The planting strips within a street right-of-way shall be planted with low plantings such as turf grass, groundcover plants, and low growing flowers. Other plantings may be approved as allowed by VDOT.

h. New Trees.

Required tree plantings shall conform to the minimum standards with caliper measurements taken six inches above grade.

1. Large maturing trees for streetscape use shall measure a minimum of three and ½ inch caliper. For general landscape use, a minimum of two and ½ inch caliper is required.
2. When approved by the director of planning for situations with overhead restrictions or other unique design challenges, ornamental trees for streetscape use shall measure a minimum of two and ½ inch caliper. For general landscape use, a minimum of one and ½ inch caliper is required.
3. Evergreen trees shall measure a minimum of eight feet in height.

i. New shrubs.

1. Shrubs for streetscape and general landscape use shall measure a minimum of 18 inches in height at time of planting.
2. Evergreen shrubs for screening purposes shall measure a minimum of 30 inches in height at time of planting.

j. Parking lot landscaping requirements.

In addition to the requirements for parking lot landscaping, as specified in Section 19-519, the following landscaping requirements shall be met.

1. Tree spacing within the street right-of-way shall be reduced to twenty-five (25) feet on center for large maturing street trees and fifteen (15) feet on center for small maturing ornamental trees along any parking lot with street frontage.
2. A continuous line of evergreen shrubbery planted along the entire perimeter of the parking lot not more than ten feet behind the trees along the right-of-way frontage. The shrubbery must be at least two feet high when planted and shall be regularly trimmed for appearance and height not to exceed three and ½ feet.

k. Minimum screening requirements.

1. The minimum planting area width for screen landscaping shall be ten feet. The screen-landscaping strip shall not be used for public improvement projects or public easements.
2. The screen-landscaping strip shall consist of existing vegetation, proposed landscaping, berms, an opaque wall, or a combination thereof.
3. If a proposed use within the TND-MU district abuts an incompatible or less intense district or use, the landscape buffer between the two districts or uses shall be a minimum of 35 feet unless the Director

of Planning approves an alternative buffer with approval of the overall development plan. The buffer area shall minimize the adverse effects on the less intense district or use.

4. Other screening devices shall be required whenever:
 - i. Loading, service and trash collecting areas, and utility and mechanical equipment areas are visible from public rights-of-way or other properties.
 - ii. Incompatible or less intense uses about the TND-MU district.

I. Lighting.

TND-MU districts establish pedestrian environments that require good lighting to provide visibility and safety along streets and within parking areas while minimizing the effects of lighting on residential uses.

1. *Lighting Level Standards.*
 - i. Streets with on-street parking and all sidewalks within public rights-of-way shall maintain a minimum illumination level of 0.5-foot candle.
 - ii. Parking areas for all uses other than single-family residential uses shall maintain a minimum illumination level of 1.0 foot-candle. Should illumination levels at the property line of a single-family residential use exceed 1.0 foot-candle, house side shields, fencing, or landscaping shall be installed to prevent exceeding the 1.0 foot-candle illumination level beyond the property line.
2. *Light Fixture Types.* With the exception of lighting on property for single-family residential uses, all exterior lights shall meet the following requirements:
 - i. Pole mounted light fixtures other than ornamental pedestrian style lighting fixtures shall minimize light glare by providing full cutoff of light perpendicular to the light source.
 - ii. Except for decorative architectural incandescent light fixtures, building mounted light fixtures shall incorporate full shielding to orient light downward.
 - iii. Specialty exterior lighting including but not limited to building lighting, and lighting of architectural features, monuments, signage, and flags shall be arranged, located, and properly shielded to prevent glare to motorists, pedestrians, and single-family residential uses.
3. *Light Fixture Mounting Heights.*
 - i. Street lighting shall not exceed a mounting height of thirty (30) feet above the closest street grade.

- ii. Parking area lighting, whether pole or building mounted, shall not exceed a height of twenty (20) feet above the grade of the parking area closest to the light source.

m. Signage.

Signage within the TND-MU district shall meet the requirements set forth in DIVISION 4. SIGNS of the Zoning Ordinance including the following additions and exceptions.

Additions:

1. Except for corner uses, building mounted signs for non-residential uses, excluding churches, shall only be allowed when a projecting sign has been previously installed for the same building and use.
2. Not including signs for non-residential uses along an arterial road as identified in the Comprehensive Plan, freestanding signs for individual uses shall not exceed a height of twelve (12) feet and shall not exceed thirty-two (32) square feet in sign area.

Exceptions:

1. Freestanding signs may be placed directly behind the right-of-way line of public roads regardless of the distance from the edge of road pavement. However, motorist's sight lines shall be maintained clear of obstruction.
2. Sign projection from a building above a sidewalk may extend up to eight (8) feet from the building as long as the sign is no closer than four (4) feet from the face of the curb of the street. All projecting signs shall maintain a minimum clearance of eight (8) feet above the sidewalk.

- n. **Bicycle Circulation.** Bicycle circulation shall be accommodated on streets and/or on dedicated bicycle paths. Facilities for bicycle travel may include off-street bicycle paths and separate, striped, lanes on streets.
- o. **Pedestrian Circulation.** Convenient pedestrian circulation systems that minimize pedestrian-motor vehicle conflicts shall be provided continuously throughout the TND-MU district. Where feasible, any existing pedestrian routes through the site shall be preserved and enhanced. Sidewalks on both sides shall border all streets, except for alleys. Sidewalks shall be located within the right-of-way unless approved otherwise by the Director of Transportation and the Director of Planning. The following provisions also apply:

1. *Residential Sidewalks.* Clear and well-lighted sidewalks shall connect all dwelling entrances to the adjacent public sidewalk.
2. *Community Center Sidewalks.* Clear and well-lighted walkways shall connect building entrances to the adjacent public sidewalk and to associate parking areas. Such walkways shall be a minimum of eight (8) feet wide.
3. *Crosswalks.* Intersections of sidewalks with streets shall be designed with clearly defined edges. Crosswalks shall be well lighted and clearly marked with contrasting paving materials at the edge or with striping.

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Chesterfield County, Virginia Neotraditional Development Committee

Discussion Paper

April 17, 2006

Prelude

The “new urbanism” or “neotraditionalism” is a movement in planning and design that is gradually transforming the practice of urban planning both nationally and internationally. The purpose of this discussion paper is to explain the perceived reasons for why this movement has taken hold, clearly explain what neotraditional development is, and examine how its use may be applied to Chesterfield County.

Chesterfield County continues to experience a healthy growth rate as evidenced by its active rate of residential and commercial development applications. Along with that development pressure has come the demand for the use of neotraditional concepts in many recent development applications. As a result, the county has decided to develop a draft ordinance that will produce quality development that incorporates new urbanism concepts that would be beneficial to both the private sector and the residents of the county.

The Neotraditional Development Committee has undertaken this task as requested by the Board of Supervisors.

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Introduction

Through the first quarter of the last century, the United States was developed in the form of compact, mixed-used neighborhoods. This pattern began to change with the country's changing demographics and the emergence of zoning and architecture and our increased dependence on the automobile. After World War II, a new development type was implemented nationwide, replacing neighborhoods with a rigorous separation of uses that has resulted in what we call conventional suburban development or sprawl. The majority of US citizens now live in suburban communities built in the last 50 years.

Although suburban development has been popular, it carries a heavy price. Lacking any urban center it spreads out to consume large areas of the countryside and in doing so requires public services to be extended to support them. Also, due to its separation from an urban center, automobile use per capita soars. Consequently, a great majority of households commute to work.

This type development fosters an American landscape where most people live and work in areas dominated by strip malls, auto-oriented civic and commercial buildings, and subdivisions without much individuality or character.



The New Urbanism, or Neotraditionalism is a reaction to sprawl. It is based on principles of planning and architecture that work together to create human-scale, walk able communities. New Urbanism is called

by many different names and based on different approaches. However, all approaches believe in the ability of traditional neighborhoods to restore functional and sustainable communities.

This paper attempts to explain the reasons for searching for change and the impetus of this movement and how the County may benefit from its use.

There are several major factors that encourage the use of this new approach to creating new living spaces. Some of those factors are changing national demographics and, the application of conventional zoning and transportation regulations.

Demographics

Baby boomers are that segment of our population born between 1946 and 1964 and number approximately 82 million. At every stage of their lives, they have changed America. Their birth and childhood gave rise to the GI Bill supported housing tracts of the 1940's and 1950's. The apartment boom of the 1970's is attributable to the Boomers having reached the age where they took their first jobs and left the nest. The Boomers went on to raise their children in the suburbs, much like their parents, which contributed to the expansion of suburban development or sprawl.

The Pig in the Python		
BABY BOOMERS		
Birth Years – 1946 to 1964		
Ages Today - 42 to 60		
Entered Kindergarten:	1951-1969	Elementary Schools
Entered High School:	1960-1978	High Schools
Entered College:	1964-1982	Dormitories
Entered Job Market:	1968-1986	Apartments
Married with Children:	1970-2000	Detached Houses
Empty Nesting:	1991-2011	Move Down/Back
Retirement:	2011-2029	Specialized Housing
Death:	2021-2039	Cemeteries, Crematoria, etc.

Meanwhile, the Boomer's children fuel a new wave of suburban sprawl, as 25 to 35 year olds continue to search ever farther out for affordable housing.

However, it shouldn't be assumed that this is their choice. As they grew up, they absorbed positive images of urban environments through Sesame Street, MTV, and other visual and verbal input. Inevitably, they face unenviable choices: move to cities with lousy school systems, lovely historic suburbs with high priced homes or relatively affordable housing on the urban fringe. According to surveys, young people in this population segment are receptive to new urbanism development. Surveys also show that households with children have pronounced preferences for sidewalks, smaller lots, pedestrian oriented streets and homes close to the street.

The Piglet in the Python		
ECHO BOOMERS		
Birth Years – 1977 to 1996		
Ages Today – 10 to 29		
Entered Kindergarten:	1982-2001	Elementary Schools
Entered High School:	1991-2010	High Schools
Entered College:	1995-2014	Dormitories
Entered Job Market:	1999-2018	Apartments
Married w/ Children:	2013-2032	Detached Houses
Empty Nesting:	2024-2043	Move Down/Back
Retirement:	2042-2061	Specialized Housing
Death:	2052-2071	Cemeteries, Crematoria, etc.

Other Interesting Statistics:

- Traditional (one-worker) families constitute less than 15% of American households
- Married couples with children constitute less than 25% of American households
- Non-family households now outnumber traditional families in the suburbs
- Nearly 5 million households contain unmarried couples (up from 3 million in 1990)
- 44% of the nation's immigrants arrived in the 1990's

..."Yes, the times, they are a-changing"
Bob Dylan

To summarize, America will add approximately 43 million new residents – or 2.7 million new residents per year – between now and 2020 (U.S. Census). America is not only growing but also undergoing dramatic demographic changes. The

traditional two-parent household with children is now less than a quarter of the population and getting proportionally smaller. Single-parent households, single-person households, empty nesters, and couples without children make up the new majority of American households, and they have quite different real estate needs. These groups are more likely to choose housing in mixed-use and denser communities that offer vibrant neighborhoods over single-family houses far from the community core.

Impact of Conventional Zoning Codes

Historic/Legal Basis

Zoning allows a local government to control and regulate the uses and characteristics of buildings, structures, and land within its boundaries. The authority for zoning is broadly based on a community's police power (usually granted by state law), allowing for the protection of the public's health, safety and general welfare.

The physical separation and isolation of noxious or hazardous types uses was considered to be a reasonable governmental role to protect one allowed use from another otherwise legal activity. This legal separation and isolation of land uses created the foundation for many current zoning practices. Most of the early zoning laws dealt with just a few uses, usually those that were clearly obnoxious or socially unacceptable.

In 1926, the landmark case of *Village of Euclid, Ohio v. Ambler Realty Company*, the U.S. Supreme Court confirmed the constitutionality of zoning. Since that time courts have granted broad discretion to local government to design and implement zoning codes specific to support a community's goals and objectives usually stipulated in their comprehensive plans.

Trends in Zoning

The exclusion of uses from zones and their isolation resulted primarily from the prosperity and suburbanization that followed the Second World War. Zoning was used to address many social and environmental concerns by creating physical isolation and segregation of uses and, arguably unintended, of socioeconomic groups.

In the 1950's, the creation of district zones was in many instances used to legitimize segregation and social isolation at the very time it was being successfully attacked in the courts (*Brown V. Board of Education of Topeka*, 1954).

In the 1960's, 1970's and 1980's, the strict separation of land uses and, in particular, low density housing (large minimum lot sizes, minimum FAR's, etc.), was the focus of legal challenges that alleged "exclusionary" zoning by affluent communities to preclude multifamily housing developments affordable to lower income households. Again, in most cases, the courts upheld the community's rationale for its regulations. Also, within this period, zoning and land use controls were increasingly used to address environmental concerns, such as creek and tree protection, commercial and industrial performance standards, and water quality and flooding protection.

In the past decade, zoning ordinances have continued to address changing social and economic conditions. Unique uses such as wireless communications, live/work uses, adult entertainment, and dot COM offices have been regulated by updated zoning codes.

Flexible Zoning Codes

Over time, it became apparent that traditional zoning alone was unable to control the intensity of development to maintain a community's character. At its simplest, traditional zoning assumes that all buildings with the same density (residential) or intensity (commercial; FAR) on a lot are equal in their impacts on surrounding properties and streets. In an effort to address this concern, more flexible zoning codes were developed that were still structured similar to Euclidean codes but incorporated a variety of techniques intended to address site specific or area specific impacts. The following discusses some of those flexible zoning codes.

- ***Overlay districts:*** Zoning districts that impose special regulations applied in combination with the regulations of one or more base districts to properties **mapped within a specific area or meeting specified criteria** (e.g., location within a floodplain or historic district). Such zones may be mandatory or optional:
 - A mandatory overlay zone is most often created for the purpose of protecting specified features and resources and imposing restrictions in areas such as flood plains, aquifer recharge zones, or historic districts
 - An optional overlay zone appears on the zoning map to add flexibility rather than restriction to the underlying zoning. A mapped traditional neighborhood development zone, for example, that allows development under a set of "parallel" provisions at the option of the developer is an example of an optional zone.

- ***Floating Zone:*** A zoning district included in the text of the zoning ordinance, but **not mapped in any specific locations** until applications for development meeting the district's standards are approved. At the request of the applicant the floating zone effectively replaces the base district.
- ***Planned Development:*** Planned unit developments or planned community zones are intended to create a process for bending rigid rules in favor of better site design and land use patterns. These zones are applied at the applicant's request, and usually provide extensive flexibility for the applicant and the community to negotiate an appropriate land use and design solution. The expected outcome of the use of the planned development approach is the production of a significantly better development than could be achieved by only meeting the minimum requirements of the base zone.

There are other types of flexible zoning codes such as performance zoning, incentive zoning, and design oriented codes. However, the three outlined above are the more often used approaches.

What is New Urbanism or Neotraditional Development?

New Urbanism is recognized by many names - neotraditional development (NTD), traditional neighborhood development (TND), transit-oriented development (TOD), form-based zoning, etc. All of these terms are basically the same in that they borrow from urban design concepts throughout history, but it goes further than just replicating communities of old. New Urbanism is based on a return to the traditional town designs of before World War II. It recognizes the problem of suburban sprawl and the breakdown of the community while incorporating convenience and walk ability and more importantly mixed uses developed in a neighborhood setting. Residential areas, stores, offices and public and institutional uses are established in a walk able neotraditional neighborhood. Parking is treated differently by not making the parking lot the most prominent feature of commercial districts but are accommodated to the side and rear of new businesses. Lot sizes are reduced through shared parking and on-street parking. New Urbanism also modifies the old rigid uniform street grid of historic cities and towns and creates a modified grid with "T" intersections and street deflections to calm traffic and increase visual interest. The blending of this old and new is the basis for using the term "neotraditional".

NTD's perform a difficult balancing act by maintaining the integrity of a walk able, human scale neighborhood while offering modern residential and commercial development that competes with conventional suburban development. Because this balancing act is difficult, many developers opt to build hybrids that do not embrace all of the principles of neotraditionalism – begging the question - "Are they really neotraditional developments?"

Principles of the New Urbanism

The main characteristic of Euclidean zoning – widely used throughout this country- is the separation of uses and their dispersion through minimum lot-size requirements. The new urbanism reverses that by promoting mixed-use neighborhoods that include residential blocks with a variety of densities and housing types within a neighborhood distinguished by many activities within comfortable walking distances of most homes.

Andres Duany and Elizabeth Plater-Zyberk & Company (DPZ), provide the following characteristics of a neighborhood as compared to conventional development.

Neotraditional Development

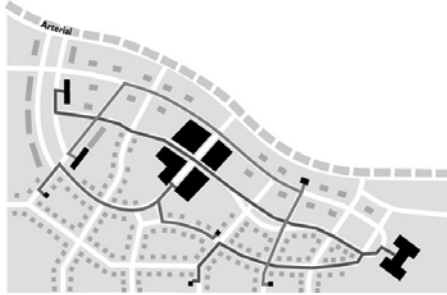
1. The neighborhood has a discernible center. This is often a square or a green (focal point) and sometimes located at a memorable street corner.
2. Most of the dwellings are within a five-minute walk (averaging roughly a quarter mile) of the center.
3. A variety of dwelling types are available – usually freestanding houses, row houses, and apartments to provide for all persons regardless of their socioeconomic status.
4. Shops and offices can be at the edge of the neighborhood, in sufficient variety to supply a household's weekly need.

Conventional Development

1. Development consists of housing subdivisions, shopping centers, business parks, stand alone retail stores, open space and civic uses such as schools, libraries and municipal buildings.
2. All uses are kept separate, in distinct pods. Even different housing types, such as townhouses, duplexes, apartment buildings, and single-family homes, are usually built in separate pods. Transportation between separate uses is usually by automobile.
3. The street pattern is dendritic, rather than interconnected. Housing subdivisions, shopping centers, and business parks feed into arterial roads that carry most of the traffic. To move between pods, one generally has to use an

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5. Schools and other public and institutional facilities should be close enough so people can walk from their homes.
6. Streets within the neighborhood are a connected network, which disperses traffic by providing a variety of pedestrian and vehicular routes to any destination.

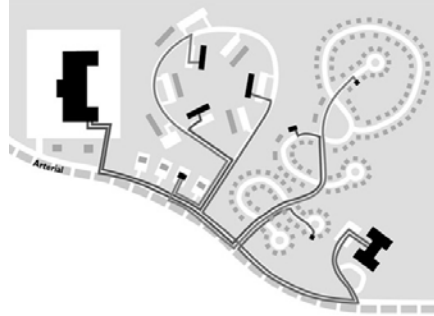


7. The streets are relatively narrow and shaded by rows of trees. These features slow traffic, creating an environment suitable for pedestrians and bicycles.
8. Buildings in the neighborhood center are placed close to the street.



9. Parking lots and garage doors rarely front the street. Parking is

arterial road. Cul-de-sacs are common in residential areas.



4. The development has no distinct center.
5. It is less compact than historic or neotraditional neighborhoods. Because uses are kept separate and there is no distinct center, suburban development tends to spread out, hence the term "sprawl." The main selling point is privacy and security, so lots tend to be larger.



6. Streets are designed on an automobile scale. Pavement is wide, and setbacks of buildings from the street are large. Infrastructure intended for the automobile is given the most prominent placement – such as garages, driveways and parking lots close to the street. Arterial roads, which connect separate uses, are designed for rapidly moving traffic. These characteristics create an environment that is both unappealing and threatening for pedestrians who venture beyond the cul-de-sac. The large distances between uses and housing types pose an additional barrier to

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relegated to the rear of the buildings, usually reached by alleys.

10. Certain prominent sites at termination of street vistas or in the neighborhood center are reserved for civic buildings.

pedestrian traffic.



7. The low density and spread-out nature of conventional suburbs discourages the use of public transit.

Implementation options for Chesterfield County

There are several approaches or techniques available to create neotraditional development codes. While they are not mutually exclusive, the following three approaches are often used.

Area specific regulation. Policy and regulation applicable to a defined geographic area (e.g., direct NTD's toward those areas of the county where increased mixed-use development is expected to occur and areas slated for infill and redevelopment areas).

Strategic regulatory intervention. Changes to portions of zoning and related codes in order to insert neotraditional (new urbanist) provisions.

Comprehensive regulatory reform. Adoption of completely new land development policy and regulation applicable to the entire community (county).

The principles of new urbanism/neotraditionalism effectively demand that regulatory reform address the whole municipality by creating a link to the region's form. Unfortunately, the goal of comprehensive implementation is not immediately attainable in many cases because of the practical and political difficulties of working at all scales simultaneously.

Prevailing wisdom notes that it is much easier to implement a brand new code for a single development site than to reform regulations throughout a municipality. The technique most often used to

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implement TND codes is similar to a Planned Unit Development (PUD) district, which allows a modification of the rules that otherwise apply, in order to provide alternatives to the underlying zoning. The TND code can vary from very general to highly specific and can include all of the elements of a regulating plan.

Most TND codes require a planning process that includes two steps: first rezoning to TND, and second, a master site plan to govern future site-specific development. In some cases, TND is simply included in the zoning ordinance as an optional "*floating zone*" that may be placed on the map by rezoning according to specified criteria. TND's can also be an "*overlay zone*" which is pre-mapped and exists as either an option for a landowner or as a mandatory substitution for parts of the underlying zoning. However, as previously mentioned, this type zone is usually reserved for establishing specific location criteria such as historic districts or floodplains.

The least successful approach is attempting a comprehensive municipal-wide revision to both policy documents and zoning codes to implement TND's.

Guiding Regulatory Objectives for TND's

Once it is determined which approach will be implemented, knowledgeable sources suggest the use of the following (and other) principles as guidance in the preparation of regulatory amendments.

- ***Allow a variety of uses to create vitality and bring many activities of daily living within walking distance of homes.***

Locate stores, offices, residences, schools, and recreation spaces within walking distance within compact neighborhoods.

Create a mix of residential density and housing types.

Encourage the location of civic buildings, such as post office, library, parks, etc., in visually prominent central locations.

- ***Revise dimensional and design regulations so that buildings and street layouts effectively shape the street as a public space.***

Review and amend setback requirements to ensure that buildings are pulled closer to the street to frame the space.

Review and amend setback and height requirements to create appropriate ratios between the height of buildings and the distance between their facades.

Establish maximum block lengths generally no greater than 300 to 500 feet to maintain connectivity of streets and variety in the pedestrian experience.

- ***Revise parking requirements so that the parking of cars does not dominate the design of the TND.***

Reduce or eliminate minimum on-site parking requirements. Allow any minimum parking requirements retained to be satisfied by use of on-street, municipal, common, or shared parking.

Prohibit parking lots in front of buildings, except as on-street parallel or diagonal parking.

Provide access to parking areas through alleys and side streets rather than through individual driveways running off of a main street.

Make sure parking areas are pedestrian-friendly through the use of trees, walkways, and attractive lighting on low fixtures.

- ***Design streets and associated sidewalks, planting strips, street furniture, and street trees to create attractive public space that is friendly to pedestrians.***

Require narrower streets and wider sidewalks and lower street design speeds.

Create pedestrian crosswalks with bump-outs to shorten crossing distances.

Require streets to interconnect except where topography makes this impossible.

Adopt illustrated design standards covering building layout and architecture to ensure quality design

Implementation Recommendations

Currently the zoning tool the County uses to provide flexibility to allow creative design, mixed uses, and to achieve public benefits is the conditional use planned development (CUPD) process. This rezoning process provides exceptions to certain uses and bulk and/or development regulations at the discretion of the Board of Supervisors based upon sound justification. The challenge with this process, as it relates to neotraditional development, is that the design standards and other guidelines that go to make up NTD's are not articulated in the existing text. Therefore, each application submitted, purporting to be a neotraditional development and desiring to use the flexibility of the CUPD process, challenges the county to review such proposal without the benefit of design criteria and other guidelines associated with a neotraditional ordinance as explained in this paper. Therefore, modification of the existing CUPD text is not recommended.

Staff recommends the creation of new ordinance text that would create a "floating zone" that may be placed on the zoning map by rezoning according to specified criteria. This rezoning process would still be at the discretion of the Board of Supervisors, however, it is anticipated that the process should require less intense review because the review criteria will be clearly articulated making the county's expectations known prior to application.

There should be a clear connection to the County Plan generally stating where these kind of mixed-use, pedestrian oriented districts are acceptable and encouraged - for example, those land use designations where the Plan currently calls for "mixed-use" development

It is also recommended that:

The TND-Guiding Regulatory Objectives stated on page 12 of this paper provide the basis for this new district.

That graphics are used extensively throughout the text to reflect a design oriented format for clarity rather than the sole reliance on written text.

That the text be organized to emphasize mix of uses and development standards

Since our last meeting staff has discussed this subject with several other jurisdictions and reviewed numerous model codes. Henrico County's Urban Mixed Use District (UMU) is written in an uncomplicated manner with respect to articulating flexibility and necessary review criteria. A copy of that text including the concomitant language that establishes the land use designation in their Land Use Plan is attached. It is recommended that this ordinance be used as a general template to the extent that its structure and content is relevant to the County. Clearly, the text makes reference to certain subject matter that does not relate to Chesterfield County. Also, more graphics should be employed throughout the text depending upon the degree of specificity the County desires.

Finally, in conjunction with the UMU text is an example of what the ordinance can produce by way of a recently approved application (West Broad Village). This example is meant to show how a level of design criteria can be achieved through the use expressed standards and a required detailed master plan.

This discussion paper was prepared through the use of information contained in the books, documents, websites, and articles (in whole and/or in part) listed in the attached bibliography.

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